



COUNTY OF SISKIYOU

PUBLIC HEALTH & COMMUNITY DEVELOPMENT DEPARTMENT
Building ♦ Environmental Health ♦ Office of Emergency Services
Personal Health ♦ Planning

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TERRY BARBER
DIRECTOR

STEPHEN PERLMAN, M.D.
HEALTH OFFICER

October 28, 2008

Siskiyou County Grand Jury
Larry Friedman, Foreman
PO Box 488
Yreka, CA 96097

RE: J.H. Ranch Investigation

Mr. Foreman and Members of the Grand Jury,

Thank you for your time spent investigating citizen complaints relative to the JH Ranch and the actions taken by the Siskiyou County Planning Department. As required, the Public Health and Community Development - Planning Division offers the following response.

I offer the following response in accordance with Penal Code Section 933.05.

Finding

The JH Ranch is a 79-acre property used as a guest ranch, with sleeping accommodations, recreational facilities, and open space. It is privately owned by the Johnston Family Partnership, and includes a 6.5 acre area that is zoned C-R rural (neighborhood commercial). The C-R portion is currently developed, with a lodge, chapel, guest housing, staff lounge, and some recreational facilities

I agree with the finding

Finding 2

After researching county files, members of the grand jury found only one permit that refers to an occupancy level, and that is for a maximum of 136 people. JH Ranch personnel contend there is no limit to occupancy levels, and admits to over 400 guests. JH Ranch staff believe they have approval to increase

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occupancy levels because of county approval of improvements. However, documents authorizing improvements and correspondence from the County Planning Director to the JH Ranch contain statements such as "does not include any expansion of facilities resulting in any increase in guest ranch occupancy" and "I would take this time to remind you that you have no authorization to exceed the previously permitted occupancy level."

I partially agree with the finding.

The J.D. Proctor secured a use permit in 1973 to operate a campground. The conditional permit states that the property shall not be occupied by more than 136 people at any one time. There is no record that this permit was ever revoked.

Since 1973, the land owners have secured a use permit to construct five duplex cabins in 1982. From approximately 1988 to 1993 the files contain numerous documents from County staff informing the JH Ranch that they have expanded beyond the 136 person limit. In 1993, the County approved a Planned Unit Development zone change for the 79 acre development. The County files contain numerous documents including public hearing notices which reflect a 250 person occupancy limitation. The County continues to assert that the Planned Unit Development restricts the occupancy to 250 guests and staff on-site and 230 guests and staff off-site on wilderness adventures allowing a one-night overlap in which all guests and staff would be on-site. It is unclear if the permit is valid and therefore enforceable.

I agree that the JH Ranch has asserted that there are no occupancy limits, however they have acknowledged in excess of 600 guests/staff using the facility each week.

Finding 3

Documentation from a real estate appraiser contends that an adjacent property value was affected by the noise from the JH Ranch. County code requires that noise levels shall not exceed 65 decibels at the property line. No testing has been done by the County to insure the 65 decibel limit has not been exceeded.

I partially agree with this finding

The file does contain a letter from a real estate appraiser relative to the effect on adjacent property owners.

As noted in the Grand Jury Report, an investigation was conducted to determine the land use violations. The County is currently gathering additional information related to the impacts the expansion is having on the community. The process involves interviewing neighbors and other relevant parties to determine the specific impacts and issues. Upon conclusion of the fact gathering process, a decision will be made by County Planning regarding the appropriate course of action. The County is exploring all of its enforcement options, including but not limited to, filing a public nuisance enforcement case and issuing a cease and desist.

The Department fully expects to commence formal enforcement actions within three months but in no case later than six months

Thank you again for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Terry Barber".

Terry Barber, Director,
Public Health & Community Development

TB:nle